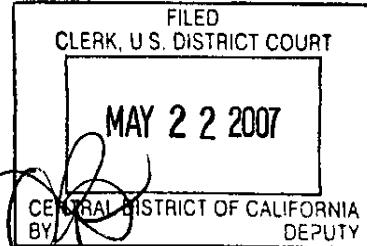


DICAPRIO v. MENU FOODS INCOME FUND et al

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

LOIS GRADY, KAYE STEINSAPIR,
etc.,

CASE NO. CV 07-2253-GHK (AJWx)

[PROPOSED] ORDER STAYING
ALL PROCEEDINGS AND FOR
PRESERVATION OF EVIDENCEvs.
MENU FOODS INCOME FUND,
et al.,Date: June 11, 2007
 Time: 10:00 a.m.
 Ctrm: 650

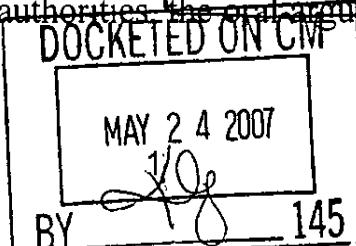
Defendants.

Judge: Hon. George H. King

NOTE CHANGES MADE BY THE COURT.

On ~~June 11~~ 5/22, 2007, defendants, MENU FOODS INCOME FUND, MENU FOODS, INC., MENU FOODS LIMITED, MENU FOODS OPERATING LIMITED PARTNERSHIP, and MENU FOODS MIDWEST CORP.'s Motion to Stay All Proceedings came on regularly for hearing before the Honorable George H. King, Judge presiding in the above-entitled action.

Having considered the motion, the papers filed in support thereof and in opposition thereto, all relevant authorities, the entanglement of counsel, and the case file, the Court hereby,



CV 07-2253-GHK (AJWx)

1 **IT IS ORDERED AND ADJUDGED** that this matter, including the deadlines for
2 the parties to participate in class certification and other pretrial proceedings, be stayed
3 ~~designed by the Panel on Multi-District Litigation on the pending actions~~
~~notions to transfer & coordinate/coordinate pending actions~~
~~In re: Pet Food Products Liability Litigation, MDL Docket~~
~~agreed upon by the MDL Panel or within 30 days thereof, whichever is sooner.~~
4 No. 1850, and the potential subsequent transfer of this case for coordinated pretrial
5 proceedings with other actions pending throughout the country. 1K

6 **IT IS FURTHER ORDERED** that all parties shall, during the pendency of the
7 stay of this matter, comply with their duty to preserve all evidence that may be relevant
8 to this action. This duty extends to documents, electronic data, and tangible things in the
9 possession, custody and control of the parties to this action, and any employees, agents,
10 contractors, or carriers who possess materials reasonably anticipated to be the subject of
11 discovery in this action. "Preservation" is to be interpreted broadly to accomplish the
12 goal of maintaining the integrity of all documents, data and tangible things reasonably
13 anticipated to be the subject of discovery under Federal Rules of Civil Procedure 26, 45
14 and 56(e) in this action. Preservation includes taking reasonable steps to prevent the
15 partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping,
16 relocation, migration, theft, or mutation of such material, as well as negligent or
17 intentional handling that would make material incomplete or inaccessible. If the
18 business practices of any party involve the routine destruction, recycling, relocation, or
19 mutation of materials, the party must, to the extent practicable for the pendency of this
20 order, either:

21 i) halt such business practices;
22 ii) sequester or remove such material from the business process; or
23 iii) arrange for the preservation of complete and accurate duplicates or
24 copies of such material, suitable for later discovery if requested.

25 Dated: 5/22/07

26
27 THE HONORABLE GEORGE H. KING
28 UNITED STATES DISTRICT COURT JUDGE

1 **PROOF OF SERVICE**

2

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4

5 At the time of service, I was over 18 years of age and not a party to this action.
6 I am employed in the County of Los Angeles, State of California. My business
7 address is 801 South Grand Avenue, 9th Floor, Los Angeles, California 90017-4613.

8 On May 11, 2007, I served true copies of the following document described as
9 **[PROPOSED] ORDER STAYING ALL PROCEEDINGS AND FOR
PRESERVATION OF EVIDENCE** on the interested parties in this action as
10 follows:

11 **BY MAIL:** I enclosed the document in a sealed envelope or package
12 addressed to the persons at the addresses listed in the Service List and placed the
13 envelope for collection and mailing, following our ordinary business practices. I am
14 readily familiar with Murchison & Cumming's practice for collecting and processing
15 correspondence for mailing. On the same day that the correspondence is placed for
16 collection and mailing, it is deposited in the ordinary course of business with the
17 United States Postal Service, in a sealed envelope with postage fully prepaid.

18

19 I declare under penalty of perjury under the laws of the United States of
20 America that the foregoing is true and correct and that I am employed in the office of
21 a member of the bar of this Court at whose direction the service was made.

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23 Executed on May 11, 2007, at Los Angeles, California.

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